

रजिस्ट्रं नं० पी० एस० एम० 14.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 2 फरवरी, 1974/13 माघ, 1895

GOVERNMENT OF HIMACHAL PRADESH

LAW DEPARTMENT

NOTIFICATION

Simla-2, the 28th January, 1974

No. 5-10/73-LR.—The Himachal Pradesh Suppression of Indecent Advertisements Bill, 1973 (Bill No. 11 of 1973) after having received the assent of the Governor, Himachal Pradesh, on the 19th January, 1974,

under Article 200 of the Constitution of India, is hereby published in the Rajpatra, Himachal Pradesh, as Act No. 5 of 1974.

JOSEPH DINA NATH,
Deputy Secretary.

Act No. 5 of 1974.

THE HIMACHAL PRADESH SUPPRESSION OF INDECENT ADVERTISEMENTS ACT, 1973

AN

ACT

to suppress indecent advertisements.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Suppression of Indecent Advertisements Act, 1973.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of the State of Himachal Pradesh.

(3) It shall come into force at once.

2. For the purposes of this Act any advertisement relating to syphilis, gonorrhoea, nervous, debility or other complaint or infirmity arising from or relating to sexual intercourse shall be deemed to be printed or written matter of an indecent nature.

Interpreta-
tion.

3. (1) Whosoever affixes to, inscribes or stencils on any house, building, wall, boarding, gate, fence, pillar, post, board, tree, or any other thing whatsoever so as to be visible to a person being in or passing along any street, public highway or foot-path, and whoever affixes to, inscribes or stencils on any public latrine or urinal, or exhibits to public view on the cinema screen or in the window of any house or shop, any picture or printed or written matter which is of indecent nature, shall, on conviction, be punished with imprisonment of either description for a term which may extend to 6 months or with fine which may extend to 500 rupees, or with both such imprisonment and fine.

Proceedings
against per-
sons affixing
etc., inde-
cent pictur-
es, or print-
ed or written
matter.

(2) Whenever any printed or written matter of an indecent nature has been displayed in the manner prohibited by sub-section (1), any person being in possession or control of the land, building, structure or premises to which such printed or written matter has been affixed who knowingly allows the same to be continued to be displayed shall, on conviction, be punished with imprisonment which may extend to six months or with fine which may extend to 500 rupees, or with both such imprisonment and fine.

4. Whoever gives or delivers to any other person any such pictures, or printed or written matter mentioned in section 3 with the intent that the same, some one or more thereof, should be affixed, inscribed, stencilled, or exhibited as therein mentioned, shall, on conviction, be punished with imprisonment of either description which may extend to one year or with fine which may extend to one thousand rupees, or with both such imprisonment and fine.

Proceedings
against per-
sons sending
others to do
the acts
punishable
under sec-
tion 3.

Power to
seize, re-
move, defa-
ce or dest-
roy pictures
or printed
or written
matter of
an indecent
nature.

5. If a District Magistrate, Sub-Divisional Magistrate or Magistrate of the First Class has reason to believe that any picture or printed or written matter of an indecent nature which has been affixed, inscribed or stencilled as mentioned in section 3, continues to be exhibited to public view after the commencement of this Act, he may by order in writing authorise any police officer to enter, with such assistance as may be required, any place and seize, remove, deface or destroy any such picture or printed or written matter.

Police officer
may arrest
on view of
offence.

6. Any police officer may arrest without warrant any person whom he shall find committing any offence against this Act.

Exemption

7. Nothing in this Act shall apply to any advertisement published by any municipal corporation or by any municipal, small town or notified area committee or published with the sanction of the State Government.

Repeal and
savings.

8. The Punjab Suppression of Indecent Advertisements Act, 1941 as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1956, is hereby repealed:

7 of 1941

Provided that anything done or any action taken (including any notification issued, permission granted or proceedings commenced or continued) under the provisions of the said Act, shall be deemed to have been done or taken under the corresponding provisions of this Act.